



PATENT
Customer No. 22,852
Attorney Docket No. 07812.0061-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
David John PRESTON et al.) Group Art Unit: 1751
Application No.: 10/588,440) Examiner: Not yet assigned
Filed: August 7, 2006)
For: NATURAL PARTICULATE) Confirmation No.: 8389
CARBONATE)

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Office the documents listed on the attached IDS Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application; therefore, pursuant to 37 C.F.R. § 1.97(b)(3), no fee is due for its proper consideration.

Copies of the listed foreign and non-patent literature documents are attached; however, pursuant to 37 C.F.R. § 1.98(a)(2)(iii), copies of the U.S. Patents and U.S. Patent Application Publications are not enclosed. Applicants respectfully request that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.W./

With respect to the following non-English language documents listed on the attached Form PTO/SB/08, Applicants provide the following statements:

1. JP-55 022072 A - An English-language abstract of this document is submitted herewith.
2. SU 411042 A1 - An English-language abstract of this document is submitted herewith.
3. WO 00/20336 A1 - This document is believed to be related to Australian Patent No. 758546 B, which is listed on the attached PTO/SB/08 form.
4. Omyabond 301 “Ein funktioneller Füllstoff für silanisierte Polyurethan-Dichtstoffe”, Detlef Gysau, Plüss-Staufer AG - An English-language translation of this document is submitted herewith.
5. Omya Technical Leaflet, “Polymers” - An English-language translation of this document is submitted herewith.

This submission does not represent that a search has been made, or that no better art exists, and does not constitute an admission that each or all of the listed documents are material or constitute “prior art.” If the Office applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute “prior art” under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Receipt date: 01/25/2007

10588440 - GAU: 4181

Application No. 10/588,440
Attorney Docket No. 07812.0061

If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 26, 2007

By: Erin C. DeCarlo
Erin C. DeCarlo
Reg. No. 51,688

<p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>JAN 25 2007 (Use as many sheets as necessary)</p> <p>Sheet 1 of 2</p>				Complete if Known	
				Application Number	10/588,440
				Filing Date	August 7, 2006
				First Named Inventor	David John PRESTON
				Art Unit	1751
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	07812.0061-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-3,940,550	02/24/1976	Delfosse et al.	
		US-3,959,192	05/25/1976	Delfosse et al.	
		US-4,625,012	11/25/1986	Rizk et al.	
		US-5,015,669	05/14/1991	Aumann et al.	
		US-5,214,092	05/25/1993	Gloesener et al.	
		US-5,215,734	06/01/1993	Kunesh et al.	
		US-5,538,678	07/23/1996	Ishikawa	
		US-5,873,935	02/23/1999	Schachenmann et al.	
		US-5,896,904	04/27/1999	Ozaki et al.	
		US-6,414,077 B1	07/02/2002	Barron et al.	
		US-6,569,527 B1	05/27/2003	Calhoun et al.	
		US-6,866,044 B2	02/03/2004	Nakai et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		AU 758546 B	04/26/2000	Pluss Stauffer AG	
		EP 0 384 609 A2	08/29/1990	Dow Corning S.A.	English
		EP 0 522 415 A	01/13/1993	Nittetsu Mining Co., Ltd.	English
		EP 1 375 579 A	01/02/2004	Imerys Minerals Ltd.	English
		GB 2,383,046 A	06/18/2003	Imerys Minerals Ltd.	English
		JP 55-022072 A	02/16/1980	Shizuoka Prefecture	Abstract
		SU 411042 A1	01/15/1974	New Buldg. Matis. Inst.	Abstract
		WO 99/28050 A1	06/10/1999	ECC Intl. Inc.	English
		WO 00/20336 A1	04/13/2000	Pluss Stauffer AG	English-language counterpart AU 758546
		WO 03/031134 A1	04/17/2003	Imerys Minerals Ltd.	English

Examiner Signature	/Brian Walck/	Date Considered	02/11/2009
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.W./

<p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use as many sheets as necessary)</p>				Complete if Known	
				Application Number	10/588,440
				Filing Date	August 7, 2006
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				Art Unit	1751
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	07812.0061-00000

FOREIGN PATENT DOCUMENTS					
		WO 03/050167 A1	06/19/2003	Imerys Minerals Ltd.	English

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			Translation ⁶
		United Kingdom Search Report dated May 21, 2004, issued in application GB 0402597.9			
		International Search Report dated April 19, 2005, issued in application PCT/GB2005/000361			
		English-language abstract of JP 55-022072 A			
		English-language abstract of SU 411042 A1			
		Omyabond 301 "Ein funktioneller Füllstoff für silanisierte Polyurethan-Dichtstoffe", Detlef Gysau, Plüss-Staufer AG			Translation
		English-language translation of Omyabond 301 "Ein funktioneller Füllstoff für silanisierte Polyurethan-Dichtstoffe", Detlef Gysau, Plüss-Staufer AG			
		D. Gysau, Pitture e Vernici, "Novel Functional Fillers for Sealants", European Coatings, pages 53-60 (August 2000)			
		"Imerys Products for the Sealants & Adhesives Industries" (August 2001)			
		"Products for the Polymer Industry", Imerys Minerals Ltd. (July 2000)			
		Omya Technical Leaflet, "Polymers"			Translation
		English-language translation of Omya Technical Leaflet, "Polymers"			
		"Opacilite", Product Leaflet, Imerys Performance Minerals (November 2000)			
		Rasik H. Raythatha "Precipitated Calcium Carbonate: Myth vs. Reality" Functional Fillers and Nanoscale Minerals, edited by Jon J. Kellar, et al. pages 29-40 (un-dated)			

Examiner Signature	/Brian Walck/	Date Considered	02/11/2009
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